



Wednesday, April 15, 2015 9:00 a.m.
House Room C, General Assembly Building

The Joint Commission on Technology and Science held its first meeting of the 2015 interim on April 15, 2015. Delegate Tom Rust, chairman of JCOTS, called the meeting to order.

Staff provided a brief overview of key technology legislation adopted by the 2015 Session of the General Assembly. Identical bills HB 1562 (Rust) and SB 814 (Watkins) were both signed into law on March 23, 2015. The bills establish an advisory council to develop electronic identity standards and provide that any identity trust framework operator or electronic identity provider that does not adhere to these standards will be liable for any damages resulting from the issuance of an electronic identity. The bills were the result of three years of study by JCOTS, helmed by Senator John Watkins. The bills are the first of their kind to be adopted in any state and have already generated national press coverage and interest.

While not a formal recommendation of JCOTS, HB 2350 (Austin) was introduced as a result of the issues raised by the extensive study by JCOTS in 2014 of use of student data. The bill requires the Department of Education to develop a model data security plan for the protection of student data and to designate a chief data security officer to provide assistance to local school divisions upon request. The Department will convene a working group to assist with the initial development of the plan and will report to the House Appropriations and Senate Finance Committees concerning the costs of developing such plan. The bill was signed into law on March 23, 2015.

Finally, SB 1238 (Reeves) requires the Department of Emergency Management to include preparedness for, and response to, disasters resulting from electromagnetic pulses and geomagnetic disturbances in its emergency preparedness plans. This bill was a result of preliminary work on electromagnetic pulses and geomagnetic disturbances by JCOTS as directed by SJ 61 (2014). JCOTS will continue to work on this issue in 2015. The bill was signed into law on March 10, 2015.

Staff then presented the proposed 2015 JCOTS work plan developed by Delegate Rust. The plan would continue the nanosatellites advisory committee chaired by Delegate Ken Plum that began during the 2014 interim, and establish a cybersecurity advisory committee to be chaired by Delegate Glenn to develop a plan for a public-private initiative to promote cybersecurity research and development in the Commonwealth.

Under the plan, a number of bills referred to JCOTS by the 2015 Session of the General Assembly will be addressed in full Commission meetings throughout the interim:

- HB 1743 (Hugo) relates to the existing research and development tax credit. Discussion of the bill will serve as an opportunity for a discussion of research and development funding in the Commonwealth, generally.
- HB 1920 (LeMunyon) would provide that a service provided by a public service corporation is subject to the Virginia Consumer Protection Act if such service is not otherwise regulated by the State Corporation Commission.
- HB 2037 (Bulova) would limit a motor carrier's use of personal information gathered from passengers.
- HB 2336 (Peace)/SB 1420 (Reeves) would require that the liability provisions contained in a solicitation for IT goods and services be reasonable, but in no case exceed two times the value of the contract.

Additionally, the work plan directs staff to convene staff working groups and conduct staff studies relating to the following bills referred to JCOTS by the 2015 Session of the General Assembly:

- HB 2352 (Marshall, D.) would require that a person installing pipeline across multiple counties also install conduit capable of housing broadband cable or wiring.
- SB 1450 (Obenshain) directs JCOTS to study the implementation of the Privacy Expectation Afterlife and Choice Act, adopted by the 2015 Session of the General Assembly, and make recommendations regarding application of the Act to guardian ad litem, conservators, and fiduciaries.

Staff will also continue to work on issues related to electromagnetic pulses and geomagnetic disturbances, as directed by SJ 61 (2014).

The work plan was unanimously adopted by JCOTS. A copy of the work plan is available on the JCOTS website, <http://dls.virginia.gov/commission/jcots.htm>.

Staff will poll to set future meetings of JCOTS, the advisory committees, and work groups.
